

## **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed April 2, 2004. Claims 1-38 were pending in the Application prior to the outstanding Office Action. Claim 27 is being canceled. Claims 1-3, 5-6, 8-12, 21, 23, 26, 28-31 and 33 are currently being amended. Claims 39-56 are currently being added. Accordingly, claims 1-26 and 28-56 remain for the Examiner's consideration. Reconsideration and withdrawal of the rejections are respectfully requested.

### **I. Summary of Rejections**

Claims 1-19, 21-28 and 32-38 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 3,374,941 to Okress (referred to hereafter as "Okress").

Claims 1-19, 21-28 and 32-38 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Okress.

Claims 29-31 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Okress in view of U.S. Patent No. 5,702,507 to Wang (referred to hereafter as "Wang") and U.S. Patent No. 5,656,063 to Hsu (referred to hereafter as "Hsu").

### **II. Discussion of Claims**

#### **A. Claims 1-5, 15-16 and 32**

Claim 1, as amended, requires:

"a housing having an air inlet with air inlet louvers and an air outlet with air outlet louvers, wherein said air inlet and said air outlet are configured such that

a user looking into said housing between said air inlet louvers can see through said housing and out of said air outlet, and

a user looking into said housing between said air outlet louvers can see through said housing and out of said air inlet;

...

a germicidal device located in the housing such that a user looking into said housing between said air inlet louvers or said air outlet louvers can not see said germicidal device, which germicidal device can emit radiation in order to reduce the amount of microorganisms in the air passing through the housing."

Thus, the device of claim 1 allows a user to look through the housing from the inlet through the outlet, and vice versa, while at the same time the device prevent the user from seeing the germicidal device. Support for the amendments to claim 1 is provided at least by paragraphs [0077] and [0079] of the specification as originally filed.

It is clear that the geometry of the inlet louvers 18 and the outlet louvers 20 of Okress prevent a user from looking into the housing 12 of Okress, between the air inlet louvers 18, and seeing through the housing and out of the air outlet 16. It is also clear that in Okress a user can not look into the housing 12, between the air outlet louvers 20, and see through the housing and out the air inlet 14. Accordingly, Applicants respectfully request that the 102(b) and 103(a) rejections of claim 1 be withdrawn.

Claims 2-5, 15-16 and 32 depend from and add additional features to claim 1. Applicants believe that these dependent claims are patentable over Okress for at least the reason that they depend from claim 1, as well as for the additional features that they add.

It is further noted that Applicants believe that Wang and/or Hu do not teach the above mentioned deficiencies of Okress.

**B. Claims 6-14 and 17-20**

Claim 6, as amended, requires:

"a housing having an air inlet with air inlet louvers and an air outlet with air outlet louvers, wherein said air inlet louvers and air outlet louvers are planer so as to not significantly impede air entering and exiting said air inlet and said air outlet;

...

a germicidal device located in the housing such that a user looking into said housing between said air inlet louvers or said air outlet louvers can not see said germicidal device, which germicidal device can emit radiation in order to reduce the amount of microorganisms in the air passing through the housing."

Thus, the device of claim 6 includes planer inlet and outlet louvers so as to not significantly impede air entering and exiting the air inlet and the air outlet, while at the same time the device prevents the user from seeing the germicidal device.

In contrast, the louvers 18 and 20 of Okress are angled or bent, as shown in Fig. 1, to prevent ultraviolet radiation from passing from within the housing 12 (see Okress, column 2, lines 41-46). Such bent louvers 18 and 20 of Okress are not planer, as required by claim 6. Further, because of their geometry, such bent louvers 18 and 20 will impede airflow entering and

exiting the housing 12 through the inlet 14 and the outlet 16 of Okress. Accordingly, Applicants respectfully request that the 102(b) and 103(a) rejections of claim 6 be withdrawn.

Claims 7-14 and 17-20 depend from and add additional features to claim 6. Applicants believe these dependent claims are patentable over Okress for at least the reason that they depend from claim 6, as well as for the additional features that they add.

It is further noted that Applicants believe that Wang and/or Hu do not teach the above mentioned deficiencies of Okress.

**C. Claims 21-32**

Claim 21, as amended, requires:

"an upstanding housing having an air inlet and an air outlet configured such that

a user looking into said air inlet can see through said housing and out of said air outlet, and

a user looking into said air outlet can see through said housing and out of said air inlet;

...

a germicidal device located in said housing such that no radiation emitted directly from said germicidal device can exit said air outlet or said air inlet."

For reasons similar to those discussed above with regards to claim 1, Applicants believe that Okress does not teach these features of claim 21. Accordingly, Applicants respectfully request that the 102(b) and 103(a) rejections of claim 21 be withdrawn.

Claims 22-32 depend from and add additional features to claim 21. Applicants believe these dependent claims are patentable over Okress for at least the reason that they depend from claim 21, as well as for the additional features that they add.

It is further noted that Applicants believe that Wang and/or Hu do not teach the deficiencies of Okress.

**D. Claims 33-38**

Claim 33, as amended, requires:

"a vertical elongated housing having an air inlet and an air outlet configured such that

a user looking into said air inlet can see through said housing and out of said air outlet, and

a user looking into air outlet can see through said housing and out of said air inlet".

It is clear that the geometry of the inlet louvers 18 and the outlet louvers 20 of Okress prevent a user from looking into inlet 14 of the housing 12 of Okress, and seeing through the housing 12 and out of the air outlet 16. It is also clear that in Okress a user can not look into the air outlet 16 and see through the housing 12 and out the air inlet 14. Accordingly, Applicants respectfully request that the 102(b) and 103(a) rejections of claim 33 be withdrawn.

Claims 34-38 depend from and add additional features to claim 33. Applicants believe these dependent claims are patentable over Okress for at least the reason that they depend from claim 33, as well as for the additional features that they add.

It is further noted that Applicants believe that Wang and/or Hu do not teach the deficiencies of Okress.

### **III. Double Patenting Rejections**

The Office Action recited numerous obviousness-type double patenting rejections of the original claims. As shown above, each of the original independent claims have now been amended. Applicants believe that the claims as now pending are patentably distinct from the claims in the patents and the co-pending applications recited in the Office Action. Accordingly, Applicants respectfully request that the obviousness-type double patenting rejections be reconsidered and withdrawn.

### **IV. Information Disclosure Statements**

In addition to the Fourth Information Disclosure Statement enclosed herewith (which lists non U.S. Patents and Publications), Applicants have submitted an electronic Information Disclosure Statement (listing only U.S. Patents and Publications) on the same day that this Reply and Amendment is being filed (i.e., June 30, 2004).

Applicants respectfully request that the Examiner indicate consideration of all of the Information Disclosure Statements that are being submitted.

**V. Conclusion**

In light of the above, it is respectfully requested that all outstanding rejections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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